

Jason B. Lattimore  
LATHAM & WATKINS LLP  
One Newark Center, 16th Floor  
Newark, New Jersey 07101  
(973) 639-1234

James E. Brandt (*pro hac vice*)  
Jeff G. Hammel (*pro hac vice*)  
LATHAM & WATKINS LLP  
885 Third Avenue  
New York, New York 10022  
(212) 906-1200

*Attorneys for Defendants  
The Yucaipa Companies LLC and  
Ronald Burkle*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

RICKY DUDLEY, Individually and On  
Behalf of All Others Similarly Situated

Plaintiff,

v.

CHRISTIAN W.E. HAUB, ERIC CLAUS,  
BRENDA M. GALGANO, RONALD  
MARSHALL, SAMUEL MARTIN, THE  
YUCAIPA COMPANIES LLC, RONALD  
BURKLE and FREDERIC BRACE

Defendants.

Civil Action No.: 2:11-CV-05196 (WJM) (MF)

**CERTIFICATION PURSUANT TO  
LOCAL CIVIL RULE 11.2**

In accordance with Local Civil Rule 11.2, we, the undersigned counsel for Defendants The Yucaipa Companies LLC and Ronald Burkle, certify that to the best of our knowledge, the matter in controversy is not currently the subject of any other action pending in any court, or of any pending arbitration or administrative proceeding.

Dated: June 22, 2012

LATHAM & WATKINS LLP

By: s/ Jason Lattimore  
Jason B. Lattimore  
One Newark Center, 16th Floor  
Newark, New Jersey 07101  
(973) 639-1234

James E. Brandt (*pro hac vice*)  
Jeff G. Hammel (*pro hac vice*)  
LATHAM & WATKINS LLP  
885 Third Avenue  
New York, New York 10022  
(212) 906-1200

*Attorneys for Defendants  
The Yucaipa Companies LLC and  
Ronald Burkle*